

On October 7, 1939, the United States attorney for the District of Colorado filed a libel against 118 cans of Yucca-Balm at Denver, Colo., consigned by Geo. Bell Co. (Yucca Balm Co.), alleging that the article had been shipped in interstate commerce on or about August 14, 1939, from Ogden, Utah; and charging that it was misbranded.

Analysis showed that the article consisted essentially of soft soap and cresol (0.30 percent).

The article was alleged to be misbranded in that its labeling contained representations that it was efficacious in the treatment of animals for cowpox, garget, spider, caked bag in dairy cows, bluebag in sheep, scours in calves, sprains, sores, and infections; that it was efficacious for the relief of sore feet, dandruff of human beings, and was valuable for the relief of human aches, pains, and swellings; that the ingredients conformed to the standards of the United States Pharmacopoeia and of the Federal Food, Drug, and Cosmetic Act, and were harmless to humans and animals, which representations were false and misleading since the article was not efficacious for the purposes recommended.

On October 23, 1939, the Geo. Bell Co. having signed an acceptance of service and authorization for taking of final decree, judgment of condemnation was entered and the product was ordered destroyed.

VETERINARY REMEDIES

103. Misbranding of Peacock's Garlic for Health and Peacock's Pure Garlic Extract. U. S. v. 9½ Dozen Bottles of Peacock's Garlic for Health, and 9 Dozen Bottles of Peacock's Pure Garlic Extract. Default decree of condemnation and destruction. (F. D. C. No. 1280, 1281. Sample Nos. 51987-D, 51988-D.)

The labeling of these products bore false and misleading representations regarding their efficacy in the conditions set forth below.

On January 2, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 18½ dozen bottles of the above-named products at Philadelphia, Pa., alleging that they had been shipped in interstate commerce on or about March 25 and on May 16, 1939, from Evanston, Ill., by New England Products, Inc.; and charging that they were misbranded.

Analyses showed that both products consisted essentially of water, sugar, salt, and 0.84 percent of garlic oil.

The product designated "Garlic for Health" was alleged to be misbranded in that its labeling bore representations that it was an efficacious, safe remedy for dogs, cats, foxes, etc., that it was a mild vermifuge, that treatment should be continued until worms were expelled, that it would keep dogs in good health and condition, and free from worms, that it was a protective food with great medicinal value, that it was effective in treating cases of worms, constipation, run-down condition, poor appetite, and skin ailments, that it would cleanse the intestinal tract by stimulating gastric secretions and promoting intestinal action, that its regular use would help maintain the digestive organs in a healthy condition, that it would add life and luster to the dog's coat, and help keep him free from eczema and other skin disorders, that its use by fur farms would cause the production of superior pelts, that it would relieve nervous tension in high-strung dogs, build up resistance, thus enabling pets to withstand exposure, and would help avoid coughs, colds, pneumonia, and other respiratory infections, that it would have a detoxifying effect and act as a soothing and healing agent on the intestinal tract, that two or three capsules a day for 2 days would act as a mild vermifuge after which one capsule daily would act as a conditioner and preventive of worms, giving the dog a strong constitution and cut down mortality among puppies tremendously, which representations were false and misleading, since the article was not efficacious for such purposes.

The product designated "Garlic Extract" was alleged to be misbranded in that its labeling bore representations that it consisted of pure garlic extract, was nature's safe remedy for dogs, cats, foxes, etc., was a mild vermifuge, that treatments should be continued until worms were expelled, and that one-half the amount indicated for treatment for worms, if given daily, would keep the dog in good condition and free from worms, that it was unsurpassed as a general conditioner, which representations were false and misleading since the article was not efficacious for such purposes.

On February 8, 1940, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.